

## CLAIMS

1-3.(cancelled)

4-9. (cancelled)

10. (currently amended) An isolated polypeptide ~~drawn from the group consisting~~  
comprising the amino acid sequence of SEQ ID NOS: 2 ~~and 4~~.

## **RESPONSE**

### **I. Restriction Requirement**

The Examiner has determined that the original claims are directed to 3 separate and distinct inventions under 35 U.S.C. § 121.

- I. Claims 4-9, said to be drawn to isolated DNA sequences encoding a human kinase having SEQ ID NO: 4, vectors and host cells comprising said products, classified in class 435, subclass 252.3.
- II. Claim 10, said to be drawn to a specific human kinase having SEQ ID NO: 2, classified in class 435, subclass 194.
- III. Claim 10, said to be drawn to a specific human kinase having SEQ ID NO: 4, classified in class 435, subclass 194.

### **II. Response to Restriction Requirement**

In response to the Restriction Requirement mailed January 26, 2005, Applicants make the following election. Applicants elect to prosecute the claims of Group II (Claim 10, said to be drawn to a specific human kinase having SEQ ID NO: 2, classified in class 435, subclass 194). Applicants reserve the right to refile claims to the non-elected inventions in one or more future applications retaining the priority date of the present case and the earlier cited priority applications.

### **III. Status of the Claims**

Claims 1-3 were previously cancelled entirely without prejudice or disclaimer in the Preliminary Amendment. Claims 4-9 are currently cancelled entirely without prejudice or disclaimer, as being drawn to non-elected inventions. Claim 10 has been amended and is therefore presently pending.

**IV. Support for Amendments**

The specification has been amended to include reference to the related issued U.S. Patent.

Claim 10 has been amended to clarify the claim and remove reference to non-elected inventions. Support for the amended claim can be found throughout the specification as originally filed, with particular support being found at least in Claim 10 and the Sequence Listing as originally filed.

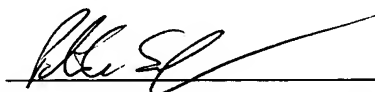
**V. Conclusion**

The present document is a complete response to the Restriction and Election Requirement. Applicants believe that the claims of the instant application meet all of the conditions for patentability and are in condition for allowance. Accordingly, an early indication of the same is respectfully requested. Should Examiner Monshipouri have any questions or comments, or believe that certain amendments of the claims might serve to improve their clarity, a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,

April 25, 2005

Date



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